

FILED
Clerk
District Court

MAR -- 7 2008

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

In the Matter of the Estate of)	Civil No. 08-0011
)	
LARRY LEE HILLBLOM)	ORDER DISMISSING
)	PETITION and
_____)	CLOSING FILE

On February 19, 2008, this court received what purported to be a pro se petition for removal from the Commonwealth Superior Court to this court the above-entitled proceeding, pursuant to 28 U.S.C. §§ 1441 and 1446.

This matter is ORDERED dismissed.

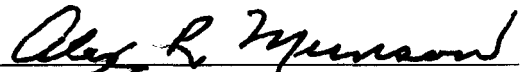
Only a defendant may remove an action to federal court and petitioner's assertion that her status "may have [been] mischaracterized" in Superior Court is insufficient to enable her to remove the action to this court. Further, she failed to

1 comply with the explicit requirements of 28 U.S.C. § 1446 which require, among
2 other things, that certain time limits be observed, that the entire record of the
3 Superior Court be attached to the removal petition, that her petition contain a “short
4 and plain” statement of the grounds for removal, and that her statement be made and
5 signed pursuant to Fed.R.Civ.P. 11. Also, this probate proceeding has been in
6 Superior Court for quite some time and petitioner Bauer has filed an appeal to the
7 Commonwealth Supreme Court, so she is actively pursuing her remedies there.
8 Finally, and most important, it is difficult to discern how this court would have any
9 jurisdiction over a local probate matter. At the least, issues of comity counsel that
10 this court decline jurisdiction based on the record before it.
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14 Accordingly, this matter is dismissed and the file is closed.

15 IT IS SO ORDERED.

16 DATED this 7th day of March, 2008.
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22 ALEX R. MUNSON

23 Judge
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